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**FAX RECEIVED****JUL 24 2002****PETITIONS OFFICE**

**To: Office of Petitions  
USPTO**

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**From: Karen B. Dow**

**Date: July 24, 2002**

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Docket No.: 280502000200	Atty: Karen B. Dow
Serial No.: 09/936,887	Filing Date: September 11, 2001
Title: METHODS AND COMPOSITIONS FOR TREATING LEUKEMIA	
Date of Facsimile Transmission: July 24, 2002	

**Papers enclosed herewith:**

1. Fax Coversheet (1 page)
2. Transmittal (1 page)
3. Petition to Withdraw Holding of Abandonment (3 pages)
4. Copy of Notice of Abandonment (1 page)
5. Copy of Deposit Account Statement (2 pages)
6. Copy of Transmittal Letter dated April 30, 2002 (2 pages)
7. Copy of Petition for Extension of Time dated April 30, 2002 (1 page)
8. Copy of Declaration for Utility Patent Application as filed April 30, 2002 (4 pages)
9. Copy of Notification of Missing Requirements (2 pages)
10. Copy of Memo from Lackenbach Siegel Marzullo & Aronson, P.C. (1 page)

RECEIVED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE ON \_\_\_\_\_



PTO/SB/21 (08-00)

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

18

Application Number

09/938,887

Filing Date

September 11, 2001

First Named Inventor

Chaim M. ROIFMAN

Group Art Unit

To be assigned

Examiner Name

To be assigned

Attorney Docket No.

250502000200

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## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declarations☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Assignment Papers  
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☒ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ After Allowance Communication to  
Group☐ Appeal Communication to Board of  
Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status LetterOther Enclosure(s) (please identify  
below):☒ Copy of Notice of Abandonment

Copy of Deposit Account Statement

Copy of 4/30/02 submission

Copy of Memo from Lackenbach et al.

Fax Coversheet

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm  
or  
Individual NameKaren B. Dow Reg. No. 29,884  
Morrison & Foerster LLP  
3811 Valley Centre Drive, Suite 500, San Diego, California 92130

Signature

Karen Babyak Dow

Date

July 24, 2002

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to the Office of Petitions at (703) 308-6916 at the United States  
Patent and Trademark Office in Washington, D.C. on July 24, 2002.

Rebekah Werth



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/936,887		Chaim M Roifman	280502000200

Karen B. Dow  
Morrison & Foerster  
3811 Valley Center Drive  
Suite 500  
San Diego, CA 92130-2332

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PETITIONS OFFICE

CONFIRMATION NO. 2918

ABANDONMENT/TERMINATION  
LETTER

\*OC000000008224082\*

Date Mailed: 06/03/2002

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 11/01/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

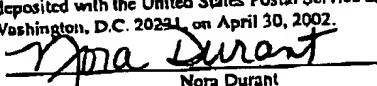
Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).


Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

FORM PTO-1390 OFFICE (REV 11-2000)		U.S. DEPT. OF COMMERCE PATENT AND TRADEMARK	ATTORNEY'S DOCKET NUMBER 00200
<b>TRANSMITTAL LETTER TO THE UNITED STATES          DESIGNATED/ELECTED OFFICE (DO/EO/US)          CONCERNING A FILING UNDER 35 U.S.C. § 371</b>			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/936,887
INTERNATIONAL APPLICATION NO. PCT/CA00/00266	INTERNATIONAL FILING DATE March 13, 2000	PRIORITY DATE CLAIMED March 12, 1999	
TITLE OF INVENTION METHODS AND COMPOSITIONS FOR TREATING LEUKEMIA			
APPLICANT(S) FOR DO/EO/US Chaim M. ROIFMAN, et al.			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application under PCT Article 19 (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11. to 16. below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment. 14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Petition for Extension of Time, copy of Notification of Missing Requirements and return receipt postcard.			
<b>CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"</b> I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, BOX PCT, Washington, D.C. 20291, on April 30, 2002.  Nora Durant			

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) *		INTERNATIONAL APPLICATION NO. PCT/CA00/00266		ATTORNEY'S DOCKET NUMBER: 280502000200	
21. <input type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....\$1,000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....\$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....\$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provision of PCT Article 33(1)-(4) .....\$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....\$100.00					<b>CALCULATIONS PTO USE ONLY</b>
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>					\$
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$18.00	\$	
Independent claims	- 3 =	0	x \$80.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>					\$0
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					\$
<b>SUBTOTAL =</b>					
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$
<b>TOTAL NATIONAL FEE =</b>					\$0
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property					\$
<b>TOTAL FEES ENCLOSED =</b>					\$0
					Amount to be refunded: \$)
					charged: \$)
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my <u>Deposit Account No. 03-1952</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to <u>Deposit Account No. 03-1952</u> referencing attorney docket number 280502000200. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
<b>SEND ALL CORRESPONDENCE TO:</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">           Karen B. Dow            Morrison &amp; Foerster LLP            3811 Valley Centre Drive            Suite 500            San Diego, California 92130-2332         </div> <div style="width: 45%; text-align: center;">             SIGNATURE            Karen B. Dow            Registration No. (29,684)         </div> </div>					

<input checked="" type="checkbox"/> <small>Continuation of Application, PCT, Entitled to an Election of the International Office, Minimum 30 Months, 37 CFR 1.495</small>		
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/936,887	Chaim M Roifman	280502000200

INTERNATIONAL APPLICATION NO.	
PCT/CA00/00266	
I.A. FILING DATE	PRIORITY DATE
03/13/2000	03/12/1999

Karen B. Dow  
Morrison & Foerster  
3811 Valley Center Drive  
Suite 500  
San Diego, CA 92130-2332

DOCKETED MISSING REQ DUE  
REMINDER: 12/1/2001  
DUE DATE: 1/1/2002  
FINAL DUE DATE: 6/1/2002

CONFIRMATION NO. 2918  
371 FORMALITIES LETTER  
\*0000000007001153\*

Date Mailed: 11/01/2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments

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MORRISON & FOERSTER  
SAN DIEGO

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

PAULETTE R KIDWELL

Telephone: (703) 305-3656

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/936,887	PCT/CA00/00266	280502000200

To:

From:

*Celia Prosz*WITH COMPLIMENTS FROM  
LAW OFFICES OF

LACKENBACH SIEGEL MARZULLO & ARONSON, P.C.  
Penthouse Suite  
ONE CHASE ROAD  
Scarsdale, New York 10583  
(914) 723-4300

(212) 619-9100

Memo:

*received in  
error from  
U. S. P. TO*

☒ URGENT☒ for your records☐ for your information☐ for your comments & return☐ for your approval and return☐ please handle☐ please telephone me☐ please sign and return☐ please acknowledge receipt



8703 308 6916

\*\*\*\*\*  
\*\*\* RX REPORT \*\*\*  
\*\*\*\*\*

RECEPTION OK

TX/RX NO	7237
CONNECTION TEL	858 720 5125
CONNECTION ID	
START TIME	07/24(WE)18:55
USAGE TIME	05'45"
PGS.	18
RESULT	OK